

**REMARKS**

Claims 1-20 are all the claims pending in the application. Claim 1 is the only independent claim.

The Examiner is respectfully requested to return the initialed PTO/SB/08 for the Information Disclosure Statement filed on March 23, 2004. Applicant's representative has confirmed that the PTO has received the Information Disclosure Statement filed on March 23, 2004 by viewing this document on the PTO's PAIR website.

**Allowable Subject Matter**

Claims 9 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

**Claim Rejection Under 35 U.S.C. § 103**

Claims 1-8 and 11-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Iwashita (5,467,001) in view of Mori (JP 06-225573). Applicant respectfully traverses this rejection of independent claim 1 at least because the combination of Iwashita and Mori does not teach or suggest all of the claim's recitations.

Claim 1 recites that an integrated value of a predetermined function of each phase current of the motor is calculated to act as an index of power consumption. Such feature works to protect the phase which generates the most heat.

Applicant submits that Mori does not teach or suggest an integrating section for each phase current of the motor, as recited in claim 1. Therefore, it is not possible to determine a state of heat generation for each phase. For example, in the case of a permanent magnetic synchronous motor, (1) when the motor is rotating, the heat generated from each phase is

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uniform, and (2) when the motor is stopped at a predetermined position (i.e., when it is not rotating), the current flows intensively to a predetermined phase, and the predetermined phase intensively generates heat. Applicant submits that the current values, after exiting the coordinate transformation section 9 of Mori, are the same in states (1) and (2) outlined above. Therefore, it is not possible to judge whether or not the current is flowing intensively to a predetermined phase.

Since Iwashita fails to cure the deficient teachings of Mori, Applicant submits that claim 1 is patentable over the cited references. In addition, Applicant respectfully submits that dependent claims 2-20 are patentable at least because of their dependency from claim 1.

### Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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**23373**

CUSTOMER NUMBER

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Respectfully submitted,



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